



Docket No. 49658-0025

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

MARTIN LIVESSEY

Serial No.: 09/183,621

Filed: October 30, 1998

For: APERIODIC TILING OF TEXTURED IMAGES

PETITION, DRAWINGS AND FEE TO INCLUDE COLOR DRAWINGS
UNDER 37 CFR 1.84(a)(2)

Box DAC
Commissioner of Patents
Washington, D.C. 20231

Sir:

The Applicant hereby respectfully petitions for inclusion of color drawings in the application referenced above pursuant to 37 CFR 1.84(a)(2).

There are three drawings in the above referenced application that must be shown in color, specifically Figures 1, 2B, and 5. These drawings illustrate, respectively, a tile depicting a grass texture, a target area that is tiled with the grass texture tile in a periodic tiling pattern, and a target area that is tiled with the grass textured tile in an aperiodic tiling pattern.

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OCT 30 2000
TC 2100 MAIL ROOM

Examiner: Chante' Harrison
Group Art Unit: 2779

PATENT #

267

Color images for these three drawings are the only practical medium to disclose the subject matter sought to be patented. Specifically, the linear repetitions evident in Figure 2B, and the lack of such linear repetitions in Figure 5, are not observable in mere black and white drawings due to the subtle differences in shading. The Office is referred to the enclosed black and white versions of Figures 1, 2B, and 5.

Being able to observe these linear repetitions is important to understanding the application because one of the improvements resulting from the subject matter being claimed is the elimination of such linear repetitions. For example, when a tile, such as that shown in Figure 1, is repeated in a periodic tiling pattern, such as in Figure 2B, one can readily discern the periodic pattern of light and dark shading when the single tile of Figure 1 is replicated to cover the target area. However, one of the advantageous results of applying the claimed subject matter is the elimination of those linear repetitions, as shown in Figure 5.

Pursuant to 37 CFR 1.84(a)(2)(i), included with this petition is a check for the filing fee of \$130.00 for this petition as specified in 37 CFR 1.17(i).

Pursuant to 37 CFR 1.84(a)(2)(ii), included with this petition are three (3) sets of each color drawing to be included in the application referenced above.

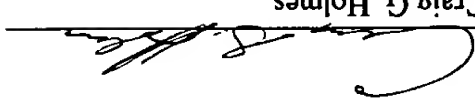
Pursuant to 37 CFR 1.84(a)(2)(iii), the specification in the above referenced application has been amended in the Response of September 21, 2000 to the Office Action mailed June 21, 2000.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortages in fees due in connection with the filing of this paper, including extension of time fees, or credit any overages to Deposit Account

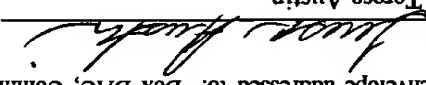
No. 50-1302.

Based on the foregoing, it respectfully submitted that applicant has shown good and sufficient reasons why it is necessary to include color drawings in the application referenced above as requested.

Respectfully submitted,
HICKMAN PALERMO TRUONG & BECKER
LLP


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Date: October 18, 2000
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CERTIFICATE OF MAILING
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box DAC, Commissioner for Patents, Washington, DC 20231
By: 
Teresa Austin
on October 18, 2000



FREE TRANSMITTAL for FY 2000

Patent fees are subject to annual revision, otherwise large entity fees must be paid. See Forms PTO/SB-09-12 See 37 C.F.R. §§ 1.27 AND 1.28

TOTAL AMOUNT OF PAYMENT (\$): 130.00

Application Number		09/183,621
Filing Date		October 30, 1998
First Named Inventor	Martin Livesey	
Examiner Name	Chante' Harrison	
Group/Art Unit	2779	
Attorney Docket No.	49658-0025	

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METHOD OF PAYMENT (check one)

☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 50-1302

Deposit Account Name: Hickman Palermo Truong & Becker, LLP

☒ Change Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

2. ☒ Payment Enclosed: ☒ Check ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Code (\$)	Fee (\$)	Small Entity	Fee Description
101	710	355	Utility filing fee
106	320	160	Design filing fee
107	490	245	Plant filing fee
108	710	355	Reissue filing fee
114	150	75	Provisional filing fee

SUBTOTAL (1) (\$)

Fee from Below: 710.00

Extra Claims: 3 x 18.00 = 54.00

Independent Claims: 3 x 80.00 = 240.00

Multiple Dependent Claims: 3 x 18.00 = 54.00

Fee Description: "or number previously paid, if greater, For Reissues, see below"

Large Entity Small Entity Fee (\$)

Code (\$)

110 18 210 9

109 80 209 40

104 270 204 135

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